

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

L.J.B., et al.,

Civil File No. 12-3181 JNE/AJB

Plaintiff,

**MOTION TO ESTABLISH A SPECIAL
NEEDS TRUST AND TO APPROVE A
SETTLEMENT AGREEMENT ON
BEHALF OF A MINOR CHILD**

vs.

Saint Paul Public Schools Independent,
School District No. 625, et al.,

Defendants.

Plaintiff Nicola Marie Giusti, through her counsel, respectfully moves the Court for an Order to:

1. Establish a Special Needs Trust for the benefit of her minor child L.J.B. under 42 United States Code, section 1396p(d)(4), Minnesota Statutes, section 501B.89, subdivision 3 (medical assistance) and 42 United States Code, section 1382b(e)(5) (supplemental security income); and
2. Approve the settlement agreement on behalf of minor child L.J.B. pursuant to Minn. Stat. 540.08, Rule 145 of the Minnesota General Rules of Practice, and Rule 17.1 of the Local Rules of the United States District Court, District of Minnesota.

This Motion will be based upon all the files, records, and proceedings herein, including memoranda of law to be filed in support of the motion, supporting declarations and exhibits, arguments of counsel, and the pleadings and proceedings in this matter.

WHEREFORE, Plaintiff Nicola Marie Giusti respectfully requests an order establishing a special needs trust and approving the settlement agreement on behalf of minor child L.J.B.

Dated: August 2, 2013

s/ David C. Klink

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